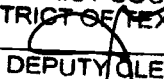


**FILED**

**FEB 27 2018**

CLERK, U.S. DISTRICT COURT,  
WESTERN DISTRICT OF TEXAS  
BY  DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

MARCUS BENTURA

Plaintiff

v.

GERALD E. BABCOCK and  
B & J TRUCKING SERVICE, INC.

Defendants

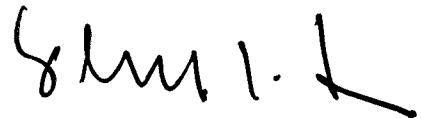
CIVIL ACTION NO.  
SA-17-CA-838-OG

**ORDER**

Pending before the Court is Plaintiff's motion to remand to state court (docket no. 8). No response has been filed within the time allowed under the rules. With the joinder of another defendant who is a citizen of the forum State, diversity of citizenship does not exist. The Court finds that the motion to remand should be granted.

It is therefore ORDERED that Plaintiff's motion to remand (docket no. 8) is GRANTED, and this case is hereby REMANDED to the 150<sup>th</sup> Judicial District Court, Bexar County, Texas. The parties' joint motion to extend deadlines (docket no. 9) is moot as a new schedule will be determined in state court.

SIGNED and ENTERED this 27 day of February, 2018.



ORLANDO L. GARCIA  
CHIEF U.S. DISTRICT JUDGE